**Validation and Refinement of
Objective Prison Classification Systems for Women:
The Experience of Four States and Common Themes**

**By
Patricia L. Hardyman, Ph.D.**

**The Institute on Crime, Justice and Corrections
at The George Washington University**

December 31, 2001

ACKNOWLEDGMENTS

Table of Contents

I.   Introduction

"The nation's female inmate populations in federal and state prisons in the 1990s doubled, growing faster than the male population. . . ." was reported by the Washington Post (February 1, 2000). Specifically, between 1990 and 2000, the number of women under the jurisdiction of state and federal prison authorities increased from 44,065 to 91,612. At year-end 2000, women in state and federal prisons constituted 6.6 percent of all prison inmates compared to only 5.7 percent in 1990. Since 1990, the number of male prisoners has grown by 77 percent, while the number of female prisoners has increased by 108 percent.[1] While these figures come as no surprise to correctional administrators, our correctional systems remain ill equipped to address the security, programming, and special needs presented by female inmates. Many have argued that because our correctional systems—both facilities and policies—were originally designed to accommodate male inmates, they are based on behaviors and risk factors having only a tenuous relationship to female inmates.

Although the literature is somewhat limited and dated regarding the design and effectiveness of correctional programming for female offenders, their unique needs and issues have been well documented. There is widespread agreement that incarcerated women differ from their male counterparts in terms of their offenses, institutional behavior, medical, substance abuse, mental health, and family issues.[2] The constellation of characteristics and needs manifest themselves differently in women versus men. While in general, women pose little threat of institutional violence or escape, their significant substance abuse and mental health needs can produce behaviors that are difficult to predict. These differences are particularly important to institutional classification systems, yet they are under-researched.

---

[1]Beck, Allen J. and Paige M. Harrison. (2001). "Prisoners in 2000." Washington, D.C.: Bureau of Justice Statistics.
[2]Greenfield, Lawrence A, and Tracey L. Snell (1999). "Women Offenders." Washington, D.C.: Bureau of Justice Statistics.

In 1994, the National Institute of Justice (NIJ) sponsored a study to assess the programming needs and promising approaches for incarcerated women.[3] The management issues identified included problems emerging from overcrowding, a lack of programs, and shortcomings in classification procedures. More specifically, administrators reported that their systems did not collect and compile adequate information on the risk factors and needs of women offenders. Thus, the systems were not useful in matching the women to appropriate custody levels or programming. Further, classification and screening instruments were often unrelated to where the women were housed or to which programs they had access. This was true even in larger states with a broader range of programming and housing options. Lack of bed space and constant movement of large numbers of women were cited as specific operational barriers.

Dissatisfied with the current classification systems, correctional administrators have been faced with three basic options: 1) use the current instruments and override the scored custody levels; 2) modify the current risk factors and/or scale cut points; or 3) discontinue use of the current instruments and classify the women based upon a subjective, intuitive process. Regardless of the option selected, the result is that the women are classified according to systems that have not been designed or validated according to risk factors relevant to their custody, housing, or programming needs. Thus, while objective prison classification systems for male inmates are well established in virtually every state, objective classification for female inmates is poorly developed and long neglected.

In response to this critical need for gender-specific, objective classification systems, the National Institute of Corrections (NIC) launched a multifaceted initiative to update the literature and correctional policies regarding women offenders. These efforts included a review of the literature regarding gender-responsive management and programming strategies for women offenders; an

---

[3]Morash, M.T., T. Bynum, and B. Koons,(1998) "Women Offenders: Programming Needs and Promising Approaches: NIJ Research in Brief." Washington, D.C.: National Institute of Justice.

assessment of current classification and needs assessment policies for female inmates; and the provision of direct technical assistance to state correctional agencies to develop and implement gender-specific classification systems.[4]   Numerous state correctional administrators have expressed a strong interest and commitment to participate in this initiative. When asked about their key classification issues and concerns, most classification administrators questioned the validity of their external classification system for the female inmates. Because of the number of requests for technical assistance from the state agencies, NIC requested that The Institute on Crime, Justice and Corrections (ICJC) at The George Washington University develop a work plan for a providing technical assistance to additional state agencies.

II.   Project Goals and Tasks

Recognizing the need for technical assistance to design, pilot test, and implement gender-responsive classification systems, the specific goals of this initiative were:

1.   Provide technical assistance to up to four state correctional agencies to design and pilot test gender-specific classification systems to enhance and facilitate the management, safety, and security of their women's correctional facilities;

2.   Assist four state correctional agencies with the implementation of any necessary revisions to their classification processes based on empirical analyses;

3.   Provide on-site classification-related training to supervisory and line staff of the four agencies; and

4.   Revise and update the written documentation for each of the four states, including classification polices, procedures, and instruments.

The states were selected to receive technical assistance based upon a variety of criteria including the nature of the classification policies, practices, and issues that were impacting the management of female inmates; the recent trends associated with these policies and issues; and

---

[4]For a complete description of the NIC gender-specific initiatives, visit the NIC web site; www.nicic.org.

the measurable outcomes that the department wanted to achieve through this initiative. In addition to the nature of the classification issues, a key factor in the selection process was the department's willingness to commit the required resources to undertake the classification initiative and to implement the changes, as appropriate, suggested by the research findings.

This report documents the work undertaken by ICJC for the West Virginia, Idaho, Florida, and Wisconsin correctional systems. A summary of the classification trends and lessons learned regarding the classification of female offenders is provided.

III. Description of The Four States' Women's Classification Initiatives

This portion of the report summarizes the work completed as part of the NIC initiative described above. For each state, more lengthy and detailed reports have been submitted to NIC and the state's correctional agency. These are referenced here and copies can be obtained from each state or NIC.

A. West Virginia Division of Corrections

1. Classification Issues and Revalidation Tasks

In the mid1980's, the West Virginia Division of Corrections (WVDOC) implemented a classification system based on the model developed by Robert Buchanan and associates.[5] Classification of female inmates has been a concern for several years. Shortly after implementing the current classification system, the WVDOC explored the idea of developing a gender-specific criteria for work release (i.e., community custody).[6] This effort was halted by a grievance brought forth by the male inmates asserting that the proposed work-release criteria discriminated against

---

[5]Hardyman, Patricia L. and Garth Davies (2001). "Validation West Virginia Department of Correction Objective Classification System For The Female Inmate Population: Final Report." Washington, D.C.: The Institute on Crime Justice and Corrections at The George Washington University.
[6]WVDOC Classification Users' Guide.

the males because it included criteria that were less rigorous than those used for the men. In order to avoid expensive, time-consuming litigation, the WVDOC abandoned the idea of separate work release criteria for the male and female inmates. While this decision halted the further development and implementation of a gender-responsive classification system, it did not resolve the staff's concerns about over-classification and high rates of overrides among the female inmates.

The current external classification system used by the WVDOC relies upon two scales. The first scale is the Public Risk Scale that assesses the inmate's threat to public safety. It asks the questions, "What is the likelihood that the offender will escape? And if she escapes, what harm does she pose to the community?" This scale considers the extent of violence in the current offense, use of a weapon during the current offense, escape history, prior institutional commitments, violence associated with prior convictions, presence of holds and/or detainers, and time to possible release. The risk factors are rated on a scale of zero to five, with five representing the greatest threat to public safety. The offender's public safety score is based upon the highest score across the seven public risk factors. For example, if an inmate scores "5" on the first factor, extent of violence during the current offense, and "0" on the remaining six factors, her Public Risk Score will be "5."

The Institutional Risk Scale assesses the inmate's potential adjustment to an institutional setting. This scale considers the inmate's community stability, prior institutional adjustment, need for special management, psychological stability, adjustment while on probation/parole, and alcohol/drug use. Four of the six institutional risk factors are scored from zero to four, with four representing the greatest threat to the safety and security of the institution, staff, other inmates, and self. The remaining two institutional risk factors (community stability and alcohol/ drug use) are scored from zero to three, with three representing the highest risk. The inmate's institutional risk score is based upon the highest score across the six institutional risk factors.

The inmate's overall custody level is the higher of two scores. For example, if the inmate has a public risk score of "5" and an institutional risk score of "1," her scored custody level will be "5." The system provides for overrides of the scored custody level based upon factors such as notoriety of crime(s) or criminal, sophistication of crime(s) or criminal(s), gang affiliation(s), enemies, suicidal, assaultive or predatory behaviors, or other factors. Inmates are classified into one of five custody levels: V (maximum), IV (close), III (medium), II (minimum) or I (community).

Prior to undertaking this validation effort, the WVDOC staff participated in NIC's Objective Classification System training program in June, 2000 in order to assess the current status of their objective classification system, learn more about current classification issues, and to develop a classification work plan for the Division. The following objectives were identified:

- Assess the validity of the current classification system for the WVDOC female inmate population; and

- Update the classification polices and classification instruments based upon the validation study results.

2. Revalidation Effort and Key Results

The primary question to be addressed by this initiative was the validity of the current classification system for WVDOC female inmates. The steering committee also identified alternative criteria to be considered for the public and institutional risk factors to improve the predictive power of the instruments for women offenders. The predictive power of the current public and institutional risk factors and custody scale, as well as the alternative criteria identified by the steering committee, were assessed.

Multiple samples were used to validate the classification system and determine the need for a gender specific classification system. Because of the relatively small size of the WVDOC female population (the average daily population during 2000 was 149 inmates) a list of all female

offenders admitted during 2000 was generated. Initial classification data were collected from the prison case files for 162 women. Similarly, to assess the reclassification risk factors, data were collected on female offenders admitted during 2000 and/or who were incarcerated as of December 31, 2000. Reclassification data were collected from the prison case files on 181 women. In addition, in order to demonstrate the relative validity of the classification system for the male inmates, electronic data on the criminal history, institutional adjustment, and custody level of all males incarcerated as of December 1, 2000 were obtained.

Demographic and offense profiles of the female inmates offered few surprises. Over 40 percent of the women were incarcerated for a felony person offense (41.4%), yet about one-third of the sample was incarcerated for a drug offense (32.1%). The data suggested that women spend relatively short periods of time within the WVDOC.[7] On average, the women had less than two years to the expiration of their sentence or parole. It appeared that drugs and/or alcohol were involved in the current offense for approximately 40 percent of the women.

The average age of the WVDOC women was 37.4 years; very few were younger than age 26 (6.2%). Upon arrest, less than 20 percent (16.7%) were employed full-time. The majority was employed part-time (40.7%) or unemployed (14.2%). Criminal history data indicated that although many of the women had extensive records, their prior felony convictions were of low or moderate severity.

Institutional stress factors impacted the inmate's adjustment to the facility for nearly forty percent (39.5%) of the women. While family, children, health, etc., are important considerations for all inmates, these issues were identified as stress factors if they impacted the woman's

---

[7]Recent population projections indicated that the average length of stay (ALOS) among West Virginia DOC female inmates is 11.2 months and their average sentence is 39.4 months. Federspiel, J. N.; D. M. Huck; L. N. Hutzel; and W. Naro. (2001). "Correctional Population Forecast 2000-2010: A Study of the State's Prison Population." Charleston, WV: Division of Criminal Justice Services and The Institute on Crime, Justice and Corrections at The George Washington University.

institutional adjustment and/or required professional attention. The data indicated that family and/or institutional relationships were stress factors for nearly 10 percent of the women. The other common stress factor was mental health, which was identified as a stress factor for 7.4 percent of the women. Children were a stress factor for 6.8 percent of the women.

The current custody level for over half of the WVDOC sample was medium (53.7%). Less than one-third were minimum custody (29.6%), 16 percent were classified as close custody and 0.6 percent as maximum custody. At first review, given national estimates that 40 to 50 percent of female inmates are classified as minimum custody, these data suggest that the system may be over-classifying its female inmates.

During the first six months of incarceration, the period on which the initial custody assessment form is focused, the mean number of infractions among the WVDOC female inmates was .96 reports. The majority of the women (67.3%) did not receive a disciplinary report during this period. The rate of institutional predatory behavior was low among WVDOC female inmates, with only 2.5 percent of the women receiving a Class I disciplinary report for riot, mutiny, murder, aggravated assault, sexual assault, escape, or extortion during the first six months of incarceration. During the total period of incarceration, the mean number of infractions among the WVDOC female inmates was 4.35 disciplinary reports. The majority of the reports were Class II infractions. Only about one-quarter (26.5%) of the women had been written up for a Class I infraction during this incarceration, while 56.8 percent had been written up for a Class II infraction. Overall, the most common rule infractions were refusing an order, possession of contraband, creating a disturbance, and insolence/insubordination.

To better understand the dynamic factors impacting the female inmates' institutional adjustment, detailed analyses of the institutional risk factor, community stability, were conducted. This factor included several of the issues frequently cited as critical to the women's adjustment to a correctional setting. In the WVDOC classification system, community stability is a function of ten

sub-factors: age, marital status, education, employment history, military record, special situations, institutional work record, unit manager's evaluation/housing reports, program participation, and stress factors since institutionalized. Each sub-factor is rated on a scale of one to three; an average of the ten scores determines the overall rating for the risk factor.

Analysis of age as a risk factor indicated that it is a statistically significant predictor of Class II disciplinary infractions for the female inmates at initial and reclassification. However, age was not correlated with the more serious, Class I infractions or predatory infractions. This finding was expected given the low rate of predatory behaviors among female inmates. The appropriate age categories for the WVDOC female inmates were less than 28.99 years, 29 to 36.99 years, 37 to 47.99 years, and 48 or more years.

An issue frequently cited when considering gender-responsive classification and needs assessment instruments is that stability factors may be gender-biased because they do not reflect the life experiences of female inmates. The operational definition of the stability factor, employment, for example, usually considers only full-time, salaried positions upon arrest or conviction. The inmate's childcare and/or homemaker roles in the community are ignored. In order to determine if childcare and homemaker roles should be included in the operational definition of employment history, data were collected on the female inmate's employment status upon arrest for the current offense. Although the number was small, women whose primary role was homemaker or childcare had rates of institutional infractions comparable to those with full-time employment. This supported the inclusion of childcare/homemaker roles in the operation definition of "employment" as an indicator of community stability.

Another factor frequently suggested by correctional staff to be linked with institutional adjustment among female inmates is dynamic needs such as family, children, mental health, medical, and the like. Analyses of these dynamic factors indicated that family, mental health, and institutional relationships were statistically correlated with institutional misconduct among WVDOC

female inmates. Women for whom <u>institutional relationships</u> were a stress factor, for example, had higher rates of institutional infractions than women for whom institutional relationships were not a stress factor. On the other hand, children, health, legal issues, and other stress factors, individually, were not correlated with institutional adjustment.

While institutional relationships had the strongest direct correlation with institutional adjustment, the presence of multiple stress factors was also highly correlated with institutional adjustment. In other words, while concerns about one's children are not statistically correlated with institutional adjustment, this factor in combination with one or more other factors was related to poor institutional adjustment. Therefore, the inclusion of multiple dimensions in the operational definition of stress factors appeared to be a potentially strong risk factor for female inmates.

Data were also collected on the relationship between program participation and institutional misconduct. Program participation is a dynamic factor that may indicate the inmate's willingness to comply with treatment recommendations, involvement in positive institutional activities, and constructive use of time. Among WVDOC female inmates, program participation was highly correlated with institutional adjustment at reclassification.

These analyses suggested that dynamic risk factors were consistently better predictors of female inmate's institutional adjustment than traditional criminal history factors. Although the analyses suggested some potential modifications to the risk factors, simply tinkering with the criminal history factors would not address the problems associated with the public risk scale or the overall classification system. One of the most problematic findings was that public risk scale was the primary determinant of the custody level for most of the female inmates, yet it was not a valid or reliable predictor of institutional adjustment.

On consideration of these findings, a full redesign of the classification system for the WVDOC populations–both males and females–was recommended. It appeared that a system

combining dynamic risk factors with traditional static risk factors (such as current offense and escape history) dramatically improved the validity of the classification system.

B. Idaho Department of Corrections

1. Classification Issues and Revalidation Tasks

The Idaho Department of Corrections (ID DOC) requested technical assistance to assess the external classification system used for its female inmate population because the system appeared to over-classify women, placing them in more restrictive housing units than required given their level of threat to the safety and security of the facility and community.[8] The classification system had not been validated for the female inmate population since its design and implementation in the early 1990's. Because the female inmate population has grown substantially since the design and initial testing of the system, the ID DOC suspected that the system might not be appropriate for the current inmate population. Initial on-site meetings with staff and a review of the classification instruments and manual suggested that the poor quality of the classification manual contributed to inconsistencies across staff when completing the instruments.

The staff at the women's facilities reported they had been dissatisfied with the classification system for some time. Based upon a review of the classification instruments, system admission trends, and a preliminary on-site assessment, it was recommended that the Department under take a classification initiative to:

1. Revalidate the classification system for the current female inmate population;

2. Revise the classification manual to clarify the operational definitions of the classification risk factors; and

3. Provide training with reliability testing for all classification staff.

---

[8]Hardyman, Patricia L. and Lee Pearson (2001). "Revalidation of The Idaho Department of Correction Objective Classification System For the Female Inmate Population: Final Report." Washington, D.C.: The Institute on Crime Justice and Corrections at The George Washington University.

The ID DOC's initial classification score sheet includes numerically weighted criminal history to determine the appropriate custody level. The risk factors include: severity of current offense, time to serve, severity and type of prior criminal record, and escape history. In addition to these criminal history factors, the reclassification score sheet considers the inmate's institutional work record and recent disciplinary record. Inmates are classified into one of four custody levels: close, medium, minimum, or community. The fourth custody level, community, is also contingent upon criminal history and legal status criteria. Inmates with more than 24 months to serve, a history of escape, predatory sex offense, and/or a current detainer are not eligible for placement in a community corrections center.

The system also provides for discretionary overrides to a higher security level in response to evidence of homicidal, violent, suicidal or self-mutilating, and/or psychotic behavior not adequately addressed by the numerical classification. In addition, upon initial classification, if no pre-sentence investigation report is available, intake staff have the option of placing an inmate in medium custody for up to 60 days until the record is reviewed. Discretionary overrides to a lower custody level based upon the time left to serve are also permitted, in order to provide the inmate an opportunity to participate in pre-release programming.

When recommending a custody level, the case manager also considers the inmate's program needs including physical health, emotional stability, reintegration, academic skills, substance abuse, vocational, and other needs. The completed classification score sheet is reviewed by the classification committee with the inmate.[9] The committee is responsible for custody level recommendations, subject to review and modification by the facility head or designee.

---

[9]The classification committee is composed of a psychosocial rehabilitation specialist and representative from security. Generally, the committee consults with the medical, mental health, and education staff and job coordinators.

2. Revalidation Effort and Key Results

Using a consensus-building process, the Women's Classification Committee, consisting of representatives from the two ID DOC women's facilities and administrative divisions, reviewed the initial and reclassification score sheets to identify the strengths and weaknesses of each item and of the classification process as a whole. Factors associated with institutional misconduct and security concerns were identified. As a result of this discussion, operational definitions for assessing program participation and institutional adjustment were developed. The Committee also considered the appropriate categories for age, offense severity ratings, institutional misconduct, and prior criminal history. The classification instruments and manual were revised based upon the Committee's decisions. The revised instruments were pre-tested by ID DOC staff using a sample of approximately 30 female inmates. Based upon their findings, the instruments and manual were further modified. Because data were not available within the ID DOC information system, data were manually collected on all women offenders admitted to an ID DOC facility between July 1, 1999 and June 30, 2000, as well as on the stock population on December 31, 2000 if admitted to ID DOC prior to July 1, 1999. Data were collected on 216 inmates.

Demographic and offense profiles of the two samples indicated that only about 12 percent of the women were incarcerated for a felony person offense (11.8%) with the majority of the women incarcerated for a property or drug-related offense (55.1% and 35.6%, respectively). Analyses of the women's criminal history suggested that nearly one-quarter of the population was incarcerated for a parole/probation violation (23.3%). At admission, the women's ages ranged from 17 to 54 years; the mean age was 32.7 years. At initial classification, the custody distribution was community custody, 52 percent; minimum custody, 33 percent; medium custody, 11 percent; and close custody, 4 percent. Among the reclassification sample, the current custody distribution was: community custody, 38 percent; minimum custody, 25 percent; medium custody, 34 percent; and close custody, 3 percent. The greater number of community custody inmates at initial classification

13

than at reclassification was primarily due to the Rider population.[10] The majority of the Riders are placed in community custody to facilitate their participation in special programming. Most are released within six month of their admission and thus are never reclassified.

Analyses of the disciplinary data indicated that the majority of the women (80%) did not receive a disciplinary infraction report during first six months of the current incarceration. The mean number of infractions was .41 reports. To better understand the rate of institutional predatory behaviors among the female inmates, the sanctions imposed for Class A infractions were examined. Only two women were placed in administrative segregation and three were placed in detention. This suggested that the majority of the women were not serious threats to the safety and security of the facility because they were not removed from general population, i.e, isolated in administrative segregation or detention.

The rates of disciplinary infractions observed among the reclassification sample were quite different than those observed in the initial sample. The majority of the women (64%) had at least one disciplinary infraction. Among the women who received a Class A disciplinary report, only about 18 percent were placed in administrative segregation. However, about 30 percent were sent to detention four or more times. It was clear that the women involved in Class A infractions also had higher overall rates of misconduct. For example, among the women with one or more Class A infraction, the mean overall number of infractions was 7.3 reports. In contrast, among the women whose most serious infraction was a Class B report, the mean overall rate of infractions was 2.7 reports. And finally, among the women whose most serious infraction was a Class C report, the overall mean number of infractions was 1.4. These data suggested that the majority of the infractions, especially the serious Class A reports were by a relatively small group of inmates.

---

[10]Idaho law provides for the courts to sentence an individual to prison, however retain jurisdiction of the case. After 180 days, the case is returned to court for review of the individual's adjustment to prison at which point the court has the option of placing the individual on probation or committing her to the custody of the ID DOC. Individuals sentenced under this statue are referred to as "Riders."

The statistical analyses of the risk factors and custody scale clearly indicated that the modified classification forms identified custody levels for ID DOC inmates at initial and reclassification that are statistically related to institutional adjustment. Several modifications to the classification instruments were suggested by the analyses. The severity of the current offense, for example, was a statistically significant factor only after the offense severity scale was revised (person-related offenses were rated as high severity; property crimes such as burglary, forgery, bad checks, voluntary manslaughter, and involuntary manslaughter were rated as moderate severity; and drug-related, driving under the influence, etc. were rated as low severity).

Similar to the pattern observed in other jurisdictions, time to serve was not correlated with institutional adjustment among ID DOC female inmates because of the short time served by the women and the erratic behavior of the Rider population. To optimize the predictive power of the instruments, considering of the time remaining to serve as a discretionary over-ride factor for community or work release placements was recommended.

The original ID DOC female classification instruments did not include age as a risk factor. The analyses indicated that current age was a strong predictor of institutional adjustment and that the item categories should be defined as age 20 or less, 21 through 29.99, 30 through 43.99, and 44 years or higher.

In an attempt to hold the inmates accountable for their behavior, a risk factor was developed to reflect the woman's participation in recommended programs since her last classification. As with many state correctional systems, participation in institutional work and treatment programming was a strong predictor of institutional adjustment among Idaho female inmates.[11] Women who complied

---

[11]Hardyman, Patricia L., et al. (March, 2000) "Revalidating External Classification Systems: The Experience of Seven States and a Model for Classification Reform." Washington, D.C.: National Institute of Corrections.

with recommended work and/or treatment assignments had significantly lower rates of disciplinary reports than women who refused to participate or were recently fired because of their performance.

The classification manual was revised to reflect the modifications to the instruments approved by the ID DOC. A comprehensive training to introduce the modifications to the classification system was provided to all ID DOC intake, case management, and supervisory staff within the female correctional facilities. To ensure inter-rater consistency in the application of the classification operational definitions and procedures, the training included reliability testing using actual ID DOC case files.

C. Wisconsin Department of Corrections

1. Classification Issues and Revalidation Tasks

The Wisconsin Department of Corrections (WI DOC) requested technical assistance to assess its classification processes for female offenders and to obtain feedback and recommendations regarding its plans to develop a gender-specific classification system.[12] Development of a gender-specific classification system was one of eight recommendations outlined by a cross-divisional team that examined issues critical to managing female offenders. The Agency Plan, i.e., "The Wisconsin Female Offender Agency Plan," documented the history, current resources, and critical issues faced by the WI DOC and proposed a strategy for viewing the female offender population as a separate unique correctional population requiring specialized interventions, programs, and services.[13] As part of the planning process, the Bureau of

---

[12]Hardyman, Patricia L. (2001). "Wisconsin Department of Corrections Objective Classification System: Observations and Recommendations for Identifying and Addressing the Gender-Specific Needs of Female Inmates, Final Report." Washington, D.C.: The Institute on Crime Justice and Corrections at The George Washington University.
[13]Wisconsin Department of Corrections. (September 2001). "Wisconsin Female Offenders Agency Plan." Madison, WI. The Agency Plan was formally presented to the WI DOC executive staff in September 2001 and was given preliminary endorsement.

Classification and Movement sought feedback from an outside consultant to ensure the system had been fully assessed and that the most recent research and perspectives concerning the classification of female offenders were included in the Agency Plan.

The WI DOC classification system use objective assessment instruments to identify an inmate's level of risk (high, moderate, or low). Similar instruments are used for initial and reclassification, the primary differences being that the inmate's current and prior offense history are not considered at reclassification. The reclassification instrument also considers institutional program participation. Both instruments include common custody risk factors--current offense, prior criminal history, sentence structure, institutional adjustment, escape history, emotional/ mental health, behavior/attitude, temporary factors (e.g., detainer, hold, etc.), and program performance. WI DOC's scoring process is unique compared to most state classification systems. If an inmate receives a high score on any one of the risk items, the inmate is considered a high risk. Similarly, if she receives a moderate score on any of the eight items (and no high ratings), the inmate is considered a moderate risk. Thus, in order to be designated a low risk, the inmate cannot rate moderate or high on any of the risk factors.

The system provides for discretionary decisions and overrides of the custody level indicated by the risk rating. For example, staff have the discretion, to recommend "low custody" if the inmate rates moderate on only one risk factor. This is considered a discretionary decision. However, if the inmate scores moderate on two or more risk factors and the staff recommends low custody, the decision is considered an "override." Unfortunately, the rates and reason(s) for the discretionary and override decisions are not systematically documented.

The WI DOC classification system strongly emphasizes assessment of the inmate's needs and participation in programming. During an era when many state correctional agencies have adopted a "get tough" policy and reduced opportunities for programming and treatment, WI DOC is an exception. Treatment and programming are clearly priorities, although adequate services and

programs slots are not available for the female inmates. All staff emphasized that custody, housing, programming and facility assignments are a function of the inmate's risk and needs. During the reclassification process, it appeared that programming and treatment needs often outweighed the risk assessment rating. For example, staff modified/overrode the risk rating with little discussion of the security implications in order to provide the offender access to recommended programming.

The WI DOC intake process utilizes the same needs assessment instruments for male and female inmates. A series of screening instruments are used to identify medical, mental health, dental, sex offender, substance abuse, and educational needs. If a need is identified on the screening instrument, the inmate is referred to the appropriate medical or clinical staff for further assessment. Vocational testing is available to inmates based upon their age ($\leq$ 25) and county of commitment. Anger management, domestic relations, and parenting needs are not assessed systematically, but rather identified from the social history report, description of the offense, observation, and/or self-report by the inmate. A substance abuse treatment needs rating is derived from a simple six question screening instrument, the UNCOPE. As a part of the initial staffing, the caseworker reviews the risk assessment and program recommendations with the inmate.

Upon transfer to a general population facility, the PRC (Program Review Committee) meets with the inmate to discuss programming needs, assign an institutional job, review the medical/mental health treatment plan, and enroll the inmate in school (as needed). WI DOC policy requires a reassessment every six months. However, most inmates are reviewed much more frequently because all job assignments, programming, housing assignments, medical/ mental health status changes, etc., prompt a PRC hearing. In addition, the inmate or the classification specialist can request an early recall to consider a custody reduction or transfer to another facility.

A comprehensive on-site assessment was conducted in September 2001 including interviews with central office and facility-based staff, review of case files, tours of the facilities

18

housing female inmates, observation of initial classification staffings and PRC hearings, and review of the Agency Plan, written policies, classification instruments, and needs assessment instruments. In preparation for the on-site activities, the Agency Plan, briefing papers, and a previous formal assessment of the classification system were reviewed.[14]

2. Revalidation Effort and Key Results

The WI DOC documents and on-site activities clearly indicated that the assessment of the classification process for female offenders completed as part of the Agency Plan was a realistic examination of the strengths and weaknesses of the process. Overall, the objectives and recommendations outlined in the Agency Plan were on-target, and if fulfilled, will result in a classification process that provides for high-quality management of the risks and needs presented by the WI DOC female offender population. Based on current research and the experiences of other states, the following observations and suggestions were provided to strengthen the Agency Plan:

1. Update and validate the risk assessment instruments to ensure they reflect current risk assessment standards such as objectivity and reliability;

2. Develop a systematic, gender-specific needs assessment and reassessment process that provides a complete profile of the female inmates;

3. Develop a clear and concise classification manual to clarify the purpose of the classification process, standardize the timing and reasons for reassessing the inmate or conducting a PRC hearing, and document the operational definitions of all risk and need factors;

4. Provide comprehensive and ongoing classification training to all intake and PRC participants;

5. Develop ongoing auditing and monitoring procedures to track the custody distribution of the population at initial and reclassification, monitor the rates of

---

[14]Austin, J. and W. Naro (2000). "Assessment of the Wisconsin Department of Corrections Inmate Classification System." Washington, DC: The Institute on Crime, Justice and Corrections at The George Washington University.

discretionary decisions and overrides, assess the reliability and accuracy of the risk scores and need assessments, and compare program recommendations with participation rates;

6.   Clarify the role of classification within the Department to ensure full integration with the Divisions of Adult Institutions and Community Corrections operational and treatment practices; and

7.   Automate the classification process to document the initial and reassessment of risk and needs, the PRC recommendations and approval process, rates and reasons for discretionary decisions and overrides, timing and reasons for reclassifications, and key outcome indicators, such as institutional misconduct, program performance, escapes, and work experiences.

D.   Florida Department of Corrections

1.   Classification Issues and Revalidation Tasks

The Florida Department of Corrections (FL DOC) requested technical assistance to assess the validity of its external classification (CARS) and internal classification (Risk and Needs) systems for its female inmate population. Because its classification systems were designed and piloted primarily on the male inmate population, the FL DOC wanted to ensure that the gender-specific risk and needs of the female population were addressed adequately.

During 1999 and 2000, the FL DOC implemented CARS (Custody Assessment and Reclassification System) in response to increased concerns about public safety, changes in state sentencing policies, and changes in the characteristics of the inmate population. CARS is a fully automated system that monitors the inmate's criminal history and disciplinary data and prompts the classification staff if changes to the inmate's custody level appear warranted. The system places inmates into one of five custody levels: community, minimum, medium, close, or maximum. For both the initial and reclassification, the same risk factors are considered: time remaining to serve, escape history, severity of the current offense(s), type of prior conviction(s) positive adjustment (institutional programming and work), number and severity of recent disciplinary reports, and stability factors (e.g., age, education, or six continuous months of employment/student prior to the

date of the current offense). In addition to these numerically scored risk factors, mandatory policy criteria are considered which determine the least restrictive custody level in which an inmate may be placed. These include outstanding felony detainer, current offense (i.e., high risk or violent sex offender), escape history, internal management score, release date, alien to be deported, and Immigration and Naturalization Services (INS) decision pending.

The impact of CARS were simulated for the entire FL DOC inmate population; however, the validity of the system and the predictive power of the individual risk factors were not assessed for either the male or female inmates. Although CARS appeared to differentiate among the inmates as to the level and type of custody required for their management, the FL DOC wanted to ensure that the custody levels were distinct and that the levels were accurate reflections of the inmates' threat to the security and safety of the institution.

Identified as part of the 1998 – 2003 FL DOC Strategic Plan was the development and implementation of an objective, systematic process for housing the inmate population. The system was required to be cost effective, legal, and to ensure community safety. An internal classification system that included 16 risk and need factors was automated and fully implemented by October 1998.[15] The primary components of the Risk and Needs System are the Risk and Needs Instrument and the Inmate Management Plan. The Risk and Needs Instrument is used to record information on risk and need factors, as well as information on gang membership via an interview with the inmate. The factors are rated on a scale of one to five (five represents high need) based upon the inmate's life history, institutional adjustment, and prior participation in recommended programs and jobs.

---

[15]For a full description of the definition and scoring for each of the 16 risk and need factors, see the Risk and Needs System Guide (October, 1998) prepared by the Office of Security and Management, Florida Department of Corrections, Tallahassee, Florida.

A preliminary assessment of Risk and Needs System suggested the need to refine the criteria for placing or maintaining inmates in dorms and to conduct additional staff training and monitoring to ensure scoring reliability.[16] Because there are no closed units available for the female inmate population, the need to clarify the housing criteria for the females was particularly critical. Because these preliminary findings were based on the first year of the Risk and Needs System, the FL DOC wanted to assess the validity and reliability of the system further.

At the same time that the FL DOC's Bureau of Classification and Central Records was planning to assess the validity of CARS and Risk and Needs, the Department's Female Advisory Committee expressed interest in developing a needs assessment process to compile and assess the inmates' social, physical, and economic issues systematically. The Committee observed that although the Risk and Needs System assesses the inmate's mental health, substance abuse, educational, and vocational needs, data on the inmate's wellness/life skills, financial management capabilities, relationships (both within and outside the penal system), and parenting skills were not assessed adequately. The Committee also suggested expanding the current assessment of vocational needs to include vocational aptitudes in order to facilitate placement in an appropriate training program. The Bureau agreed that, as appropriate, CARS and the Risk and Needs System should be updated to reflect the full spectrum of inmate needs.

Based upon a review of the classification systems and input from the Female Advisory Committee, the Department undertook a classification initiative to:

• Validate the external classification system (CARS);

• Validate the internal classification system (Risk and Needs);

• Develop a systematic needs assessment process to compile and rate the relative priorities among the inmate's mental health, substance abuse, educational, and vocational needs;

[16]Hardyman, Patricia L. (2000) "Assessment of the Florida Department of Corrections Risk and Needs System: An Ambitious Internal Classification Design and Implementation Effort." Washington, DC: The Institute on Crime, Justice and Corrections at The George Washington University.

financial management capabilities; parenting and wellness/life skills; relationships (both within and outside the penal system); and

• Update the CARS and Risk and Needs System, as appropriate.

2. Validation Effort and Key Results

a. Validation of the Custody Assessment and Reclassification System (CARS)

Similar to the validation effort undertaken in West Virginia, the FL DOC convened a Women's Classification Steering Committee consisting of representatives from FL DOC women's facilities, Female Advisory Committee, Bureau of Classification and Central Records, and the Bureau of Research and Data Analysis. Because the FL DOC has a well-developed automated information system, electronic data files with demographic, criminal history, classification, risk and need, and institutional misconduct for samples of male and female inmates admitted during calendar year 2000 and the stock population were obtained. In addition, because key data on the inmates' children were not collected systematically by the FL DOC, a parenting survey for a random sample of 382 male and 368 female inmates was conducted during January 2001.

The FL DOC is one of the largest adult criminal justice systems in the country. As of June 30, 2000, it had approximately 71,233 offenders in custody (4,019 or 5.6% of whom are women).[17] The most serious offense for over half of the FL DOC male inmates was a violent offense (51.7%),[18] 17.7 percent a drug-related offense, 24.4 percent a property offense, and 6.1 percent for some other offense. Among the female inmates, the distribution of offenses was somewhat different: violent offense, 25.1percent; drug-related, 29.2 percent; property offense 41.5 percent; and other crimes, 4.2 percent.[19]

---

[17]Florida Department of Corrections Web Site (October, 2001). www.dc.state.fl.us
[18]Violent offenses included murder/manslaughter, 14.6%; sexual offenses, 11.0%; robbery, 14.2%; and other violent offenses, 11.9%.
[19]Florida Department of Corrections (2001). "Florida's Female Offenders Plan." www.dc.state.fl.us/pub/Females/status/femaleoff.html. These data reflect the female stock population as of June 30, 1999. Violent offenses included murder/manslaughter, 15.9%; sexual offenses, 1.2%;

At initial classification, the female inmate population represented a lower risk than the male inmate population. Upon initial classification, about 70 percent of the females scored as minimum custody (70.8%) while only about 60 percent (61.7%) of the males scored as minimum custody. The data indicated that the FL DOC classification process is driven primarily by the mandatory custody criteria rather than the scored risk factors because at initial classification, the mandatory custody criteria impacted the suggested custody level of 46.1percent of the female inmates and 33.5 percent of the male inmates. The data also indicated that in addition to the mandatory policy considerations, the rate of discretionary overrides was slightly higher than the standard recommended range of 5 to 15 percent. Only at initial classification among the males was the discretionary override rate less than 15 percent. The highest rate of discretionary overrides was observed at the most recent classification review for the male stock population cohort (20.3%). The suggested custody level was modified for approximately 20 percent of the female inmates at both the initial and most recent classification.

The validation analyses focused on the power of the combination of the classification scale and custody criteria to categorize the offenders into distinct custody levels according to their threat to the safety and security of the institution, staff, other offenders, and themselves. For the purposes of these analyses, the inmate's involvement in major and minor institutional infractions was the primary outcome variable. The data indicated that the custody levels identified through CARS were statistically correlated with institutional adjustment and the system identifies statistically distinct custody levels. The analyses, however, identified three concerns:

1.   **Reliance upon mandatory custody criteria.** The final/approved custody levels appeared to be determined by the mandatory custody criteria rather than the scored risk factors. Thus, it appeared that mandatory criteria are driving the status custody

---

robbery, 8.4%; and other violent offenses, 16.0%.

level, not an overall assessment of the inmate's actual threat to the safety and security of the institution or public safety.

2. **High rate of discretionary overrides.** The rate of discretionary overrides was above the national standard range of 15 percent, i.e., they ranged between 12.6 and 20.3 percent of the cases. The override at initial and most classification assessment for the females was 20 percent. This suggests that staff were not comfortable with the suggested custody level for the female inmates.

3. **Over-classification of the female offenders designated as medium custody at initial classification.** It appears that the rates of institutional misconduct demonstrated by the medium custody female inmates was similar to those observed among the minimum custody male inmates. This suggests that at initial classification, the female medium custody inmates may be somewhat over-classified because inmates with similar rates of misconduct are housed in settings with different levels of restrictions. Although the rate of institutional misconduct among the medium custody female inmates differs from that observed for the minimum custody females, the mandatory policy criteria, felony detainer and time remaining to serve appear to inflate the custody level for the female inmates for the initial classification.

b. **Validation of the Risk and Needs System**

One of the key questions raised by the Female Offenders Steering Committee was the prevalence and types of needs among FL DOC female inmates and the relationship of these needs to their institutional adjustment. The Department was also interested in the validity of the Risk and Needs System. These questions were considered through analyses of the risk and needs data

compiled for the initial (i.e., admission cohort) and reclassification assessments (i.e., most recent assessment of the stock population). Data were analyzed for:

1.   All females admitted to FL DOC during 2000;

2.   Random sample of the female stock population on December 31, 2000;

3.   Random sample of males admitted during 2000; and

4.   Random sample of the male stock population on December 31, 2000.

These risk and needs data were merged with the custody and disciplinary data utilized for the CARS validation described in the previous sections of this report.

Overall, the data provided some support for the assumption that the risk and need factors are correlated with institutional adjustment. The factors with the strongest correlation were outside work assignment, internal management, internal housing, and restructuring potential. The data also supported the assumption that some factors affect males and females differently. What was surprising was that some risk factors that were expected to be correlated with institutional adjustment among female offenders, e.g., family relationships and friends and peers, were not associated with institutional adjustment at admission. On the other hand, child welfare and intimate relationships were related to institutional adjustment for both male and female inmates.

Only about half of the Risk and Needs System factors were correlated with institutional adjustment for the inmates at admission. Among the females, academic education, substance abuse, PIE/Pride, outside influences, transition assistance, and attitudes and motivations were not statistically correlated with institutional adjustment. Among the male inmates, academic education, work competency, PIE/Pride, and transition program were not correlated with institutional adjustment.

The relationship between the risk factors and institutional adjustment appeared to be less stable for the female inmates. Certain factors (e.g., work competency and internal management) appeared to have relatively strong relationships with institutional adjustment at admission, but then

were not statistically correlated at the last assessment. As expected, the factors that include prior institutional adjustment and escape history in their algorithms (internal management, internal housing, work release, and outside work assignment) had relatively strong statistical correlations with institutional adjustment, particularly for the male inmates.

The best overall indicator of the validity of the Risk and Needs System is its ability to identify an appropriate housing assignment. In other words, did it identify inmates who require additional structure and supervision as indicated by higher rates of disciplinary infractions (particularly major infractions) and who should be recommended for more restrictive housing? The data suggest a strong correlation between housing recommendation and institutional adjustment for both the male and female inmates at initial and last assessment. Therefore, the System appeared to be valid indicator of the risks and needs posed by the inmates. Unfortunately, particularly among the male inmates, it appeared that the power of the system was diminished by the failure to house inmates according to the recommendations generated by the Risk and Needs System. The most interesting finding regarding the Risk and Needs System was the similarity of the impact of the risk factors on institutional adjustment for both the male and female inmates.

c.   FL DOC Parenting Survey

One of the key concerns among the Steering Committee members was the absence of information on the children of female inmates. The literature on female offenders has frequently cited the welfare of their children as one of the most critical and traumatic issues with which female inmates struggle. Unfortunately, these data were not collected consistently nor were they stored in the FL DOC computer system in a way that provided for easy access or retrieval. Therefore, in

an effort to learn about the impact of issue on FL DOC inmates, a brief survey of a random sample of inmates was conducted during the Spring of 2000.

The parenting survey data suggested that female inmates have employed a variety of means to provide for the care of their children while they are incarcerated such as grandparents, relatives, friends, or state foster care. A somewhat surprising number of the women reported that they had lost their parenting rights (30.7%). Responsibility for most of the children had been transferred to a family member rather than to the state or an adoptive parent. The average age of the children was 9.7 years, although nearly 20 percent of the women had pre-school-aged children. On average, the women had 3.2 children under the age of 18 years.

Although the data offered few surprises, one of the most troubling findings was that it appeared that children of the female inmates were at greater risk than the children of male inmates. For example, the female inmate's children were more likely to have been placed out of the home by the court, arrested, and/or supported by welfare, foster parents or the juvenile justice system. Children of the female inmates were also less likely to visit their incarcerated parent (57.1% of the female inmates reported that their children would not visit them in prison while 34.6% of the male inmates said that their children would not visit them).

The parenting survey data could not be merged with the classification or disciplinary data, therefore the relationship between institutional adjustment and such factors as the number of children, their visitation, location, and the inmate's relationship with the children could not be determined. Modification of the data system to collect data systematically to allow for future analyses of the relationship between child-related issues and institutional adjustment was recommended.

IV.   Common Themes and What Have We Learned

The classification initiatives undertaken by these four states were unique, yet quite similar in that each state struggled with how to best assess the risks posed by their female inmates in order to place them in the least restrictive environment. The initiatives began with the assumption that the institutional behavior of female inmates differed from male inmates and that a different set of risk factors and/or classification process was required to manage this population efficiently and effectively. Many were concerned that the traditional systems modeled after the behavior of male inmates were simply insufficient and counterproductive.

As previously indicated, correctional administrators utilized three basic strategies to make the classification systems more responsive to the risk and needs of the female inmates, i.e., use the current instruments and override the scored custody levels; modify the current risk factors and/or scale cut points; or discontinue use of the current instruments and classify the women based upon a subjective, intuitive process. Our work with these four states and numerous other jurisdiction have provided some insight to the viability of these options.

A. Use the Current Instruments and Override the Scored Custody Levels

This is the most popular strategy and one that is used by many states that have not validated their classification system for female inmates. It serves as an interim strategy until the state can undertake a validation study and incorporate the necessary changes to the classification instruments and/or information system to make the system gender specific. This strategy is a short-term means for addressing the state's concerns about over-classification, however it is problematic because the classification decisions are based upon subjective overrides rather than statistically validated risk factors.

Among the states involved in this initiative, this strategy was illustrated by Wisconsin. At the time of the site assessment, the WI DOC used the same instruments and basic process for both the male and female inmates. Although the actual rates of discretionary decisions and overrides were not available, it was apparent that the risk level indicated from the risk assessment instruments was not given much weight in the custody, programming and housing decision making processes. The Agency Plan called for the development of a gender-specific classification system, yet their primary focus was on needs rather than risk. Because the WI DOC did not assess the reliability or validity of the system as a part of this initiative, the predictive validity of the system, i.e., its ability to identify statistically distinct custody levels that were correlated with institutional adjustment is unknown.[20] However, the face validity of the system (i.e., the perception among experienced staff that the custody levels identified by the risk factors) was poor. As previously noted, during the reclassification process, staff routinely modified/overrode the risk rating. This disregard of the risk assessment instrument, particularly at reclassification, diminished its role and value to the custodial and administrative staff.

B. Modify the Current Risk Factors and/or Scale Cut Points

This is the most common strategy employed by systems that have undertaken a validation study and found statistically significant difference in the predictive power of the risk factors for their male and female inmates (e.g., the Federal Bureau of Prisons, New York, Delaware, and Oklahoma). Among the states included in this initiative, Idaho best illustrates this strategy. Across the jurisdictions, the research findings have not been somewhat consistent. However, the most common gender-specific risk factors were age, criminal history, current offense, and stability factors.

---

[20]A previous validation study by Austin and Naro found that the initial and reclassification risk items have only a moderate and often inconsistent association with inmate misconduct. Austin, J. and W. Naro (2000). "Assessment of the Wisconsin Department of Corrections Inmate Classification System." Washington, DC: The Institute on Crime Justice and Corrections at The George Washington University.

1.   Age as a Risk Factor for Female Inmates

Several states (e.g., Tennessee, Delaware, Idaho, Florida, Wyoming, and West Virginia) have observed that the relationship between age and institutional adjustment differs between male and female inmates. The most common pattern observed is that the rate of institutional infractions decrease at an earlier age for males than females, i.e., male inmates "burnout" in their mid to upper thirties while female inmates continue to have high rates of infractions in their mid to late forties. The data from Wyoming best illustrate this point:[21]

Rates of Disciplinary Infractions by Age
Among Wyoming Department of Corrections Inmates

Age	Males			Females			Total		
	N	%	Mean	N	%	Mean	N	%	Mean
Lo to 19	49	10.4	2.90	6	4.6	3.17	55	9.1	2.93
20-24	130	27.5	1.56	23	17.7	2.74	153	25.4	1.74
25-37	177	37.4	1.06	63	48.5	3.02	240	39.8	1.58
38+	117	24.7	0.35	38	29.2	1.50	155	25.7	0.63
Total	473	100.0	1.21	130	100.0	2.53	603	100.01.	1.5

Most validation studies have found that age is a statistically significant predictor of institutional adjustment for both male and female inmates, however the behavior patterns vary by gender. Thus, risk factors with different age categories for male and female inmates have enhanced the predictive power of the instruments.

2.   Criminal History as Risk Factor for Female Inmates

Several researchers have observed differences in the pathways leading to involvement in the criminal justice system among male and female offenders. Differences in the number and

---

[21]Hardyman, Patricia and Tulloch, Owan (1999) "Revalidation of The Wyoming Department of Correction Objective Classification System: Final Report." Washington, D.C.: The Institute on Crime, Justice and Corrections at The George Washington University.

types of crimes of which female and male offenders are convicted and incarcerated have been noted.[22] The primary question considered for the design and validation of classification system is what difference, if any, do these patterns have on the determination of the appropriate custody level for female inmates? The data have been rather mixed, in that some studies have shown criminal history risk factors to have about the same predictive power for male and female inmates, while others have suggested that the severity of prior convictions is a stronger predictor for males than females. As a whole, criminal history factors are poor predictive power of institutional adjustment, particularly at reclassification. Therefore, states have excluded the prior criminal history risk factors or reduced their weight or score on the reclassification instrument developed for the female inmates.

Few, if any, generalizations can be made from the validation studies comparing the predictive power of prior criminal history among males and females. The predictive power of this factor varies according its operational definition. Items that consider the number of prior convictions or incarcerations have poor predictive power. On the other hand, in some states, the severity of prior conviction has been statistically correlated with institutional adjustment. Pilot testing alternative operational definitions for criminal history has been the most useful strategy for developing a valid and reliable risk factor for the female inmates. Idaho, for example, completely revised its criminal history risk factor on the initial classification instruments and deleted it from the reclassification instrument based upon analyses of the women's history and institutional adjustment.

3.   **Current Offense as Risk Factor for Female Inmates**

---

[22]Owens, Barbara and Bloom, Barbara (2001). "Guiding Principles & Strategies Document," working draft for the National Institute of Corrections Gender-Responsive Strategies: Research, Practice and Guiding Principles for Women Offenders Project.

Modifications of the current offense risk factor were among the first gender-specific changes to classification systems. New York, for example, has scored the severity of the current offense differently for male and female inmates since the 1980s. The common argument for assigning different weights to the current offense for female offenders is that violent crimes among women are often among family members or within the context of personal relationships. Women offenders are seen as less predatory and thus pose less of a security risk than male offenders. It is sometimes argued that non-violent crimes are motivated by substance abuse or economic factors and thus do not pose significant risks to the safety and security of the institution.

Unfortunately, the data required to test these hypotheses are often not available or there are not a sufficient number of cases for valid statistical analyses. Female inmates convicted of violent crimes tend to have higher rates of disciplinary infractions than inmates convicted of non-violent crimes, although the differences do not always achieve statistical significance. One exception to this pattern was observed in Oklahoma. Data were collected on the relationship between the victim and offender, role of substance abuse in the offense, and relationship between the offender and her co-defendant.[23] In contrast to the hypothesis, the type of victim (child, familiar adult, acquaintance, or stranger) was not statistically related to the rate of institutional infractions. The women whose crime involved a spouse, partner, or a child as a victim had slightly higher rates of institutional infractions than women incarcerated for crimes against strangers. However, these differences were not statistically significant. As expected, women incarcerated for victimless crimes (e.g., drug-related, property, etc.) had statistically fewer infractions. A second analysis of the circumstances of the crime examined the role of the woman in the commission of the offense. Crimes were differentiated according to whether the women had an accomplice, and if so, his/her

[23]Hardyman, Patricia and Owan Tulloch. (2000). "Validation of the Oklahoma Department of Correction Objective Classification System For the Female Inmate Population: Final Report." Washington, D.C.: The Institute on Crime, Justice and Corrections at The George Washington University.

identity. The data indicated that women who were involved with a male co-defendant or family member had the highest rates of institutional infractions. This suggested that women who are involved with negative peers in the community are likely to be more aggressive and disruptive within the institution than inmates who did not have a co-defendant.

Unfortunately the number of cases for which these data were available was small, thus the data were inconclusive. The findings did not support modification of the operational definitions for rating the severity of the current offense among female inmates. The only consistent observation across multiple states is that female inmates incarcerated for violent offenses tend to have higher rates of disciplinary infractions than non-violent crimes. Differentiation among types of violent crimes has not been particularly useful, although inmates incarcerated for some street crimes (e.g. robbery, aggravated assault, and weapons offenses) had higher rates of institutional infractions than those incarcerated for other violent offenses (e.g., rape and kidnap).

4.   Stability Factors as Risk Factors for Female Inmates

Many states include various indicators of offender stability on the initial classification and dynamic risk factors on the reclassification instruments. The most common initial classification stability factors include employment at the time of arrest, education, and substance abuse while dynamic reclassification risk factors (i.e., factors that can change throughout the inmate's incarceration) often include institutional behavior, participation in institutional programming and treatment, etc. Age is frequently used on initial classification as a stability factor and then on the reclassification instrument as dynamic factor. Analyses of the relationship between dynamic factors and institutional adjustment among female inmates have been instructive because they begin to address some of the questions about how to make the classification system gender-specific and how to account for the differences between the male and female inmates in terms of their

34

institutional behavior, medical, substance abuse, mental health, and family issues. Although the results have been inconsistent across the states, it is clear that these factors require special consideration when attempting to refine the classification instruments to respond appropriately to each gender.

As illustrated by the findings from West Virginia, women whose primary role was homemaker or child care taker at the time of arrest had rates of institutional infractions comparable to those with full-time employment. This advocated for the inclusion of childcare/ homemaker roles in the operation definition of "employment" as an indicator of community stability. Similar findings were observed during the validation of the Kentucky external classification system.[24]

Education as a stability factor was also considered by West Virginia and Kentucky. These data were interesting in that education appeared to be an indicator of stability among male but not female inmates. More specifically, male inmates with at least a high school or general equivalency diploma had <u>lower</u> rates of institutional misconduct than inmates who did not have a diploma. In contrast, female inmates with a high school or general equivalency diploma had <u>higher</u> rates of institutional misconduct than those who did not. The assessment of the Florida Risk and Needs System suggested that although academic achievement was not statistically correlated with institutional adjustment among female inmates, education achievement appeared to have a different relationship with institutional adjustment for male and female inmates. While the FL DOC data do not statistically replicate the findings from West Virginia and Kentucky, the Florida findings support the hypothesis that educational achievement is a gender-specific risk factor. Thus, if educational achievement is included on the classification instrument, the operational definition should be tailored to accurate reflect the behavior of the male and female inmates.

---

[24]Hardyman, Patricia L. and Garth Davies (2001). "Revalidation of The Kentucky Department of Correction Objective Classification System: Final Report." Washington, D.C.: The Institute on Crime, Justice and Corrections at The George Washington University.

Both the reliability and validity of substance abuse as an indicator of stability have been problematic and have yielded mixed results. The reliability of this factor is questionable because the various operational definitions have allowed for subjective bias and interpretation as to what constitutes substance abuse. Any use of illicit substances, for example, is considered by some as an indication of substance abuse because it is a criminal offense, whereas for other staff, substance abuse was defined as the involvement of illicit substances and/or alcohol in the current offense or daily use of these substances. Data to score the item are also dependent upon the biases of the pre-sentence report writer and/or the inmate's self-report. Given that demographic and need data compiled as part of the classification validation initiatives suggest that 75 to 80 percent of the female inmates had substance abuse problems, even if the data are reliable, the pervasiveness of the problem among female offenders often renders the item useless for classification purposes.

As previously noted, the most common institutional risk factors identified by correctional system staff working with female inmates are relationships (both institutional and community) and mental health. Unfortunately little data are available to guide the development of reliable, objective risk factors to assess the inmate's relationships. Because these relationships vary throughout the term of incarceration, reliability of the item is a concern. Florida, for example, developed scales for rating these relationships as positive or negative as a part of its Risk and Needs System. Preliminary reliability and validity analyses of the risk factors–child welfare, intimate relationships, and family relationships–indicated these factors were unreliable and were not correlated consistently with institutional adjustment.[25]

---

[25]Hardyman, Patricia (2000). "Assessment of the Florida Department of Corrections Risk and Needs System: an Ambitious Internal Classification Design and Implementation Effort." Washington, D.C.: The Institute on Crime, Justice and Corrections. Hardyman, Patricia and Garth Davies. (2001). "Validation of The Florida Department of Correction Objective Classification System: Draft Report." Washington, D.C.: The Institute on Crime, Justice and Corrections.

Data from West Virginia, on the other hand, indicated that institutional relationships were a valid predictor, i.e., women for whom institutional relationships were a stress factor had higher rates of institutional infractions. Children and legal issues, individually, were not directly correlated with institutional adjustment, although the presence of multiple stress factors was highly correlated with institutional adjustment. This suggested that the woman's experiences, both inside and outside the prison, impacted her institutional adjustment.

This strategy was also tested by Oklahoma Department of Corrections. An institutional stability item that considered the inmate's need for medical, mental health, emotional stability, and substance abuse services was developed based upon the need areas most frequently cited by correctional staff as critical to the woman's adjustment to the institutional life.[26] The data suggested that "stability" was an important factor for the woman's initial adjustment, but was not statistically correlated with long-term institutional adjustment. This finding contradicted the observations of correctional staff. The low correlation at the custody adjustment review may be explained by several points, for example, once the woman's stability needs are identified and addressed by institutional services and programs, "stability" is obtained.

Although the inconsistencies in the relationship among these dynamic factors and institutional adjustment throughout the women's incarceration were contrary to our hypothesis, the finding that they are more important at initial classification is logical. An alternative explanation is that as the woman becomes more "institutionalized," her behaviors are impacted more by the day-to-day relationships and activities in the institution than by non-institutional influences, relationships, and concerns. However, as observed by institutional staff, these factors are very dynamic. Therefore, their ability to predict behavior over a six- to 12-month period may be diminished. Thus, their value as a classification or custody reclassification risk factor needs further research.

---

[26]One variation of the stability factor included substance abuse, emotional stability, mental health, sex offender, and reintegration needs. This factor was not statistically correlated with institutional adjustment.

C. Discontinue Use of The Current Instruments and Classify the Women Based Upon a Subjective, Intuitive Process

This third option is rarely chosen. The most common variant of this option is to classify the female inmates using the standard DOC instruments and process. However, the woman's custody level has little impact upon the facility, housing unit, program(s), or institutional jobs to which she is assigned. The limitations of the physical structure of the correctional facility, overcrowding, and programming options negate full implementation of the classification system. The women offenders, regardless of their custody levels, are housed in the same units, program and work together, etc. In effect, the classification systems only determines the women's eligibility for work assignments outside the security perimeter and the supervision requirements if the she leaves the facility grounds for court hearings or medical appointments.

Given the extremely low rates of institutional violence within female correctional facilities, the short time served by most female offenders, and homogeneity of the population with respect to criminal history, this option has offered some correctional systems a short term solution for managing women offenders. However, it does not eliminate the concerns voiced by correctional staff that the classification system is not responsive to the risk and needs posed by female offenders. In fact, it is often counter-productive because the classification system no longer provides information required for managing the inmate population, staffing levels, bed space, or programming. Development of gender-specific community risk instruments, internal classification systems, and/or minimum-community security screening processes are required to bring these systems up to the industry standard of objective, reliable systems to place the inmates within the least restrictive environment.

D. Implications and Future Steps

The call for "more data and more research" is a common theme among the researchers. Thus, the suggestion for continued technical assistance to states to validate classification systems and to develop and test alternative risk factors in order to make the systems more gender responsive appears, at first, to be redundant and trite. Yet, the continued requests from state and local correctional systems to assess and fine-tune their classification systems speaks to the need to continue this research. In addition, the analyses highlighted in this report need to be replicated in other jurisdictions before making any generalizations or drawing conclusions. NIC has long advocated for the validation of any classification system for the population to which it is applied. The second strategy for making the classification system more responsive to the risk and needs of the female inmates--modify the current risk factors and/or scale cut points–is the best strategy because the risk factors are refined and tested for the population for which they will be applied. This strategy also provides the opportunity to develop and test new factors to assess the risk posed by the women offenders. The other strategies are, at best, short-term options for managing the populations during the development and pilot testing of a more gender responsive system because they do not rely on objective, reliable assessments of the women offenders.

The inconsistencies in the risk factors observed thus far suggest that there is still much to learn about the classification of women offenders. At the same time, the number of women offenders under correctional supervision continues to grow while resources decline. The need to develop valid and reliable classification systems for managing and servicing the prison population with fewer resources becomes more critical each year. Future technical assistance efforts should focus on assisting states to develop systems that are both practical and feasible given these harsh realities. Just as researchers dependably call for more research, correctional administrators are consistently asked to "do more with less." Scarce resources should provide maximum returns, and therefore future initiatives should concentrate on models that require reasonable efforts in terms of staff training, validation, and implementation.

In response to this call, NIC has indicated its commitment to continue its support of the development of comprehensive classification systems that are responsive to the risk and needs of both male and female inmates. NIC continues to provide long- and short-term assistance to state correctional agencies to:

1. validate and refine objective classification systems to reflect the risk posed by current correctional populations;
2. expand the knowledge of research and strategies for appropriate and effective correctional classification practices for managing women offenders; and
3. develop systematic intake and needs assessment process.

With these initiatives, it is anticipated that new lessons will be learned and previous lessons will be further refined. If the classification system is to continue to serve as the brain of the correctional system, it must be responsive to risks and needs posed by female as well as male inmates. Unfortunately, there is still much to discover how to make the systems more gender specific.